



1 Mr. Mullaney is the applicant's attorney. He stated the applicant hoped to work through the issues  
2 with the staff. He stated if the issues could not be dealt with today or during the continuance; there  
3 would be legal issues that needed to be addressed. The applicant would not waive their rights to deal  
4 with legal issues they found in the staff report.

5 Clark Close, Planner, City of Renton

6 Mr. Close described the project. Mr. Close noted there are 24 exhibits included in the staff report. He  
7 asked to submit a revised stormwater report (Ex. 25) and a revised predevelopment map (Ex. 26).

8 Mr. Close noted the applicant was requesting a preliminary plat to subdivide 3.63 acres into 17  
9 residential lots and three tracts for storm drainage, roads and a shared driveway. Lots will have a net  
10 density of 7.8 du/acre. Mr. Close described the tract and surrounding area and uses. There are no  
critical areas on or adjacent to the subject property. Mr. Close noted the soils do no perc well and the  
stormwater pond design accounts for that.

11 Staff received a public records request from the adjacent neighbor in response to the Notice of  
12 Hearing. The Environmental Review Committee issued an SEPA DNS. No appeals were filed.

13 The proposal complies with the Comprehensive Plan and all development codes, as conditioned.

14 December 22, 2015 Hearing Continuation

15 Clark Close, Planner, City of Renton

16 Mr. Close provided an update to the record with a summary of design changes since the prior hearing  
17 date. He noted the new project description included a 17 lot subdivision with two tracts. The roadway  
18 configuration has been redesigned. Access is now proposed as a 1/2 street improvement from 116<sup>th</sup>  
19 Avenue SE. The previously proposed hammerhead has been eliminated. The park track was also  
eliminated. On the whole, the new design provides for better access through the entire plat.

20 The right of way width and development density were both increased and now comply with the R-8  
21 zoning standards for minimum lot size, and the bulk and dimensional requirements. There may be a  
22 conflict between the required stormwater pond sizing and lots 1 and 2, but these issues can be dealt  
with during the permitting stage. The proposed tree retention is acceptable.

23 Mr. Close noted the revised staff conditions of approval (Ex. 32).

24 Patrick Mullaney, Attorney, Foster Pepper

25 Mr. Mullaney stated the continuance had been helpful to the applicant and that most issues have been  
26 dealt with. Mr. Mullaney stated there were two remaining items of contention, both with respect to

1 the stormwater pond and surrounding tracts. To meet the required setbacks for Lots 1 and 2, the  
2 applicant is requesting a shared access drive rather than alley access and a modification to the  
3 orientation and/or setback standards to allow the applicant to place the front of the houses adjacent to  
4 the shared driveway rather than perpendicular to the street. They further requested flexibility to access  
5 Lot 13 either off Road A or the alley.

6 Vanessa Dolbee, Senior Planner, City of Renton

7 Ms. Dolbee stated the City did not support the proposed changes because they want to reduce curb  
8 cuts and improve pedestrian safety and mobility. They also did not support changing the orientation  
9 of the front of the houses away from perpendicular to the roadway. Staff feels the lots are of adequate  
10 size to meet the width and depth standards without the modification. She also noted the applicant had  
11 not previously requested a formal Modification with respect to the lot orientation, though they could  
12 do so later.

13 Mr. Mullaney stated RMC 4-11-250-A allows for consideration of all lot configurations to allow  
14 shared curb cuts. There will not be significant traffic on this dead end road with alleys. There is  
15 already a curb cut for Lot 2 on Road A.

16 With respect to the lot orientation issue, Mr. Mullaney stated the stormwater pond has steep walls.  
17 The applicant will need to go to considerable expense to construct the homes in the standard  
18 orientation. Expense that could be avoided by allowed an alternate configuration of the house with  
19 respect to the roadway.

20 Mr. Close stated the Staff would agree to the shared access, but do not recommend approval of the  
21 modification with respect to the orientation of the houses.

## 22 **EXHIBITS**

23 Exhibits 1-24 listed on page 2 of the November 24, 2015 Staff Report, in addition to the Staff Report  
24 itself (Ex. 1), were admitted into evidence the public hearing. Additional exhibits admitted during  
25 the hearing include:

- 26 Ex. 25 – Applicant’s revised stormwater plan
- Ex. 26 – Applicant’s revised predevelopment map
- Ex. 27 – November 24, 2015 Renton Staff PowerPoint Presentation
- Ex. 28 – Email correspondence and Examiner’s Continuance Ruling
- Ex. 29 – Renton Core Maps Website
- Ex. 30 – Google Maps
- Ex. 31 – December 22, 2015 Renton Staff PowerPoint Presentation
- Ex. 32 – December 17, 2015 Memo to the Hearing Examiner from Staff

## FINDINGS OF FACT

### Procedural:

1. Applicant. Philip Kitzes, PK Enterprises, 23035 SE 263<sup>rd</sup> St., Maple Valley, WA 98038

2. Hearing. Renton Hearing Examiner Phil Olbrechts held a hearing on the subject application on November 24, 2015. The hearing was continued on December 22, 2015 with Renton Hearing Examiner *Pro Tem* Emily Terrell presiding. Both portions of the hearing were held in the City of Renton Council Chambers.

3. Project Description. The applicant is requesting a Preliminary Plat (revised on December 15, 2015) in order to subdivide a 3.63 area property into 17 lots and two (2) tracts for the future construction of single family residences. The project site is located at 17709 116th Ave SE, Renton, WA. The development includes two tracts, a stormwater drainage tract (Tract "B") and a landscaping tract (Tract "A"). The project site is located within the Residential-8 zoning designation. The site contains an existing single family residence and accessory structures, which are proposed to be removed. The proposed lot sizes would range in area from 5,000 sq. ft. to 7,818 sq. ft. The net density as proposed is 7.8 dwelling units/acre, within the permitted density range of the R-8 zone. Access to the proposed lots is planned via extending the residential access road (SE 177th Pl) to the east with half-street connection to 116th Ave SE; an additional north south road would provide access to the majority of the lots. No critical areas have been mapped on the project site.

The majority of the lots meet the requirements for lot dimension, including lot width and depth if averaged. As proposed, Lots 1 and 2 do not comply with minimum lot depth due to their proposed orientation. According to the Staff Report, additional engineering would be required to further evaluate the configuration and required dimensions of the stormwater pond. There appears to be sufficient area within the net area of the parcel to comply with all lot development standards of the zone. Therefore, staff recommends, as a condition of approval, that the applicant shall comply with all development standards of the R-8 zone. A revised site plan shall be submitted to, and approved by, the Current Planning Project Manager and Plan Reviewer prior to construction permit issuance, to address the orientation of Lots 1 and 2.

The properties surrounding the subject site are single-family residences and are designated R-4, R-8 or R-14 on the City's zoning maps. The proposal is similar to existing development patterns in the area and is consistent with the Comprehensive Plan and Zoning Code, which encourages infill development.

1 4. Adequacy of Infrastructure/Public Services. The project will be served by adequate  
2 infrastructure and public services as follows:

3 A. Water and Sewer Service. The site is located in the Soos Creek Water and Sewer District  
4 (SCWSD). The Applicant provided a Certificate of Water Availability (Ex. 13) and a  
5 Certificate of Sewer Availability (Ex. 14) from SCWSD.

6 B. Police and Fire Protection. Police and Fire Prevention Staff indicate that sufficient  
7 resources exist to furnish services to the proposed development; subject to the condition  
8 that the Applicant provides Code required improvements and fees. A Fire Impact Fee,  
9 based on new single-family lot with credit given for the existing single-family residence,  
10 is required (Ex. 16). The fee is payable to the City as specified by the Renton Municipal  
11 Code.

12 C. Drainage. Drainage will be adequately addressed. The applicant provided a Preliminary  
13 Technical Information Report prepared by ESM Consulting Engineers (Ex. 11) as well as  
14 a revised stormwater plan (Ex. 25). According to the drainage reports, the project will  
15 provide Level 2 Flow Control and Basic Water Quality treatment in accordance with the  
16 2009 King County Surface Water design Manual (KCSWDM). The flow control facility  
17 will be sized to match the flow duration of forested conditions. The applicant has  
18 proposed a public storm water facility, a combined detention/water quality pond. As a  
19 result of staff input between the November 24<sup>th</sup> and December 22<sup>nd</sup> hearing dates, the  
20 applicant revised the stormwater pond design. The new pond was both narrowed and  
21 lengthened. A condition of approval will require approval of final plans demonstrating  
22 compliance with the 2009 King County Surface Water design Manual (KCSWDM) at the  
23 time of the utility construction permit.

24 D. Parks/Open Space. The Applicant will be required to pay a Parks and Recreation Impact  
25 fee at the time of final plat recording. The applicant will also provide a 5' wide bike lane  
26 along 116<sup>th</sup> Avenue SE. RMC 4-2-115, which governs open space requirements for  
residential development, does not have any specific requirements for open space for  
residential development in the R-4 district. The impact fees provide for adequate parks  
and open space.

E. Streets. Access to all lots would be provided along two new public roads (Road A or  
Road B) or via an alley. Primary access to the site is proposed via a new half-street  
intersection on 116th Ave SE. The adjacent residential street to the west, SE 177th Pl,  
will be extended (Road B) and thereby allow a connection with 116th Ave SE. Road A

1 will be a residential access road, beginning south of SE 177th Pl. A 16-foot wide alley is  
2 located at the north end of Road A and extends to serve Parcel No. 3223059071.

3 The applicant is proposing to dead end Road A along the northeast property line of Lot 5.  
4 Staff recommends, as a condition of approval, that the applicant place the east 53 feet of  
5 Lot 5 within a separate tract. The tract shall include ingress, egress, utility, common open  
6 space, and tree retention. At the southernmost terminus of Road A, a future roadway sign  
7 shall be installed along the eastern most half the road improvements. A condition of  
8 approval will require the applicant to submit a revised plat plan for approval by the  
9 Current Planning Project Manager and Plan Reviewer prior to construction permit  
10 issuance.

11 The proposed plat is anticipated to generate additional traffic on the City's street system.  
12 A Transportation Impact Fee, per net new average daily trip attributed to the project, with  
13 credit given for the existing single-family residences, was recommended as part of the  
14 SEPA review. The fee would be used to mitigate the proposal's potential impacts to the  
15 City's transportation system and is payable to the City as specified by the Renton  
16 Municipal Code.

17 F. Tree Retention. The site is currently occupied by a single family residence and associated  
18 outbuildings. The property is covered with a variety of trees. Several medium diameter  
19 trees are located around the existing residence and in the southern portion of the property,  
20 including Douglas-fir, spruce, London plane, noble fir, and deodar cedar, maple, birch,  
21 pine, and several fruit trees (Ex. 3, 4, & 12). The Arborist Report identified 25 significant  
22 trees over 6-caliper inches in diameter on the parcel (Ex. 12). Three (3) of the 25 trees  
23 were classified as poor. A minimum of 30% of the healthy, significant trees must be  
24 retained after deductions for street ROW. The existing Arborist Report delineates trees  
25 scheduled for retention under the prior lot and road layout. A new report demonstrating  
26 compliance with tree retention standards under the present plat configuration is required.  
A condition of approval requires the applicant to submit a revised Tree Retention Plan to  
the Current Planning Project Manager for review and approval prior to the issuance of  
construction permits.

G. Landscaping. As proposed the conceptual landscape plan complies with the 10-foot wide  
on-site landscape requirement. However, there are no trees and/or shrubs proposed in the  
portions of on-site street frontage landscaping. Street trees are required to be planted in  
the planting area. A condition of approval will require the Applicant to submit a final

1 detailed landscape for approval by the Current Planning Project Manager prior to  
2 construction permit issuance.

3 H. Parking. Sufficient area exists, on each lot, to accommodate required off street parking  
4 for a minimum of two vehicles.

5 I. Schools. The Renton School District can accommodate any additional students generated  
6 by this proposal at the following schools: Benson Hill Elementary, Nelson Middle School  
7 and Lindbergh High School (Ex. 18). A School Impact Fee, based on new single-family  
8 lot, will be required in order to mitigate the proposal's potential impacts to the Renton  
9 School District. The fee is payable to the City as specified by the Renton Municipal Code.  
Currently the fee is assessed at \$5,541.00 per single family residence.

10 5. Adverse Impacts. There are no adverse impacts associated with the proposal. As discussed  
11 in Finding of Fact No. 4, the proposal provides for adequate infrastructure and is served by adequate  
public services. There are no critical areas on site.

## 12 **Conclusions of Law**

13  
14 1. Authority. RMC 4-7-020(C) and 4-7-050(D)(5) provide that the Hearing Examiner shall hold  
15 a hearing and issue a final decision on preliminary plat applications.

16 2. Zoning/Comprehensive Plan Designations. The subject property is zoned Residential 8  
17 dwelling units per net acre (R-8). The comprehensive plan map land use designation is Residential  
Medium Density.

18 3. Review Criteria. Chapter 4-7 RMC governs the criteria for subdivision review. Applicable  
19 standards are quoted below in italics and applied through corresponding conclusions of law.

20 **RMC 4-7-080(B):** *A subdivision shall be consistent with the following principles of acceptability:*

21 *1. Legal Lots: Create legal building sites which comply with all provisions of the City Zoning Code.*

22 *2. Access: Establish access to a public road for each segregated parcel.*

23 *3. Physical Characteristics: Have suitable physical characteristics. A proposed plat may be denied*  
24 *because of flood, inundation, or wetland conditions. Construction of protective improvements may*  
25 *be required as a condition of approval, and such improvements shall be noted on the final plat.*

1 *4. Drainage: Make adequate provision for drainage ways, streets, alleys, other public ways, water*  
2 *supplies and sanitary wastes.*

3 4. As noted in Finding of Fact 3, proposed Lots 1 and 2 do not comply with the bulk and  
4 dimensional standards of RMC 4-7-170(D). The applicant verbally requested a modification from  
5 this standard to allow them to reorient the lot lines. They have not applied for a formal Modification.  
6 City staff believes adequate area exists to allow for the reconfigured storm pond while still meeting  
7 the lot width, depth, size and orientation requirements of the zone. A condition of approval will  
8 require the applicant to submit a revised plat plan demonstrating compliance with the bulk and  
9 dimensional standards of the R-8 district.

10 The request for lot depth modification was not consolidated into the subdivision application and was  
11 therefore not subject to notice as part of the public hearing. The request for lot depth modification  
12 cannot be considered as part of this decision. Nothing in this decision prevents the applicant from  
13 submitting a formal request to modification to staff for staff approval.

14 As noted in Finding of Fact 4g, this criterion is not satisfied with respect to landscaping  
15 requirements. The proposed lots comply with all other requirements of the R-8 zoning district as  
16 detailed by pages 2-3 of the December 17, 2015 Memo to the Hearing Examiner (Ex. 32), which is  
17 adopted and incorporated by this reference as if set forth in full. As shown on the revised preliminary  
18 plat map, (Ex. 1 of Ex. 32), each lot will access Road A, Road B or the alley. There are no critical  
19 areas on site. The developable site has physical characteristics suitable for development. As  
20 determined in the Finding of Fact No. 4, and as conditioned, the proposal makes adequate provision  
21 for drainage, streets water and sewer.

22 **RMC 4-7-080(I)(1):** *...The Hearing Examiner shall assure conformance with the general purposes*  
23 *of the Comprehensive Plan and adopted standards...*

24 5. The proposed preliminary plat is consistent with the Renton Comprehensive Plan as outlined  
25 in page 4-5 of the November 25, 2015 staff report, which is incorporated by this reference as if set  
26 forth in full.

**RMC 4-7-120(A):** *No plan for the replatting, subdivision, or dedication of any areas shall be*  
*approved by the Hearing Examiner unless the streets shown therein are connected by surfaced road*  
*or street (according to City specifications) to an existing street or highway.*

6. Road A will connect to 116<sup>th</sup> Avenue SE and to SE 177<sup>th</sup> Place via Road B.

**RMC 4-7-120(B):** *The location of all streets shall conform to any adopted plans for streets in the*  
*City.*



7. The internal roads, Roads A and B, will connect 116<sup>th</sup> Avenue SE to SE 177<sup>th</sup> Place.

**RMC 4-7-120(C):** *If a subdivision is located in the area of an officially designed [sic] trail, provisions shall be made for reservation of the right-of-way or for easements to the City for trail purposes.*

8. The staff report and administrative record do not identify any officially designated trail in the vicinity.

**RMC 4-7-130(C):** *A plat, short plat, subdivision or dedication shall be prepared in conformance with the following provisions:*

*1. Land Unsuitable for Subdivision: Land which is found to be unsuitable for subdivision includes land with features likely to be harmful to the safety and general health of the future residents (such as lands adversely affected by flooding, steep slopes, or rock formations). Land which the Department or the Hearing Examiner considers inappropriate for subdivision shall not be subdivided unless adequate safeguards are provided against these adverse conditions.*

*a. Flooding/Inundation: If any portion of the land within the boundary of a preliminary plat is subject to flooding or inundation, that portion of the subdivision must have the approval of the State according to chapter 86.16 RCW before the Department and the Hearing Examiner shall consider such subdivision.*

*b. Steep Slopes: A plat, short plat, subdivision or dedication which would result in the creation of a lot or lots that primarily have slopes forty percent (40%) or greater as measured per RMC 4-3-050J1a, without adequate area at lesser slopes upon which development may occur, shall not be approved.*

...

*3. Land Clearing and Tree Retention: Shall comply with RMC 4-4-130, Tree Retention and Land Clearing Regulations.*

*4. Streams:*

*a. Preservation: Every reasonable effort shall be made to preserve existing streams, bodies of water, and wetland areas.*

*b. Method: If a stream passes through any of the subject property, a plan shall be presented which indicates how the stream will be preserved. The methodologies used should include an overflow area, and an attempt to minimize the disturbance of the natural channel and stream bed.*

1 *c. Culverting: The piping or tunneling of water shall be discouraged and allowed only when going*  
2 *under streets.*

3 *d. Clean Water: Every effort shall be made to keep all streams and bodies of water clear of debris*  
4 *and pollutants.*

5 9. As discussed in Conclusion of Law No. 4, and as conditioned, the land is suitable for  
6 development. The property is not designated as a floodplain and there are no critical areas on-site.

7 As discussed in Finding of Fact 4f, the property is covered with a variety of trees. The Arborist  
8 Report identified 25 significant trees over 6-caliper inches in diameter on the parcel (Ex. 12). A  
9 minimum of 30% of the healthy, significant trees must be retained after deductions for street ROW.  
10 The existing Arborist Report delineates trees scheduled for retention under the prior lot and road  
11 layout. A new report demonstrating compliance with tree retention standards under the present plat  
12 configuration is required. A condition of approval requires the applicant to submit a revised Tree  
13 Retention Plan to the Current Planning Project Manager for review and approval prior to the issuance  
14 of construction permits.

15 **RMC 4-7-140:** *Approval of all subdivisions located in either single family residential or multi-*  
16 *family residential zones as defined in the Zoning Code shall be contingent upon the subdivider's*  
17 *dedication of land or providing fees in lieu of dedication to the City, all as necessary to mitigate the*  
18 *adverse effects of development upon the existing park and recreation service levels. The*  
19 *requirements and procedures for this mitigation shall be per the City of Renton Parks Mitigation*  
20 *Resolution.*

21 10. A condition of approval requires the payment of Park and Recreation Impact fees.

22 **RMC 4-7-150(A):** *The proposed street system shall extend and create connections between existing*  
23 *streets unless otherwise approved by the Public Works Department. Prior to approving a street*  
24 *system that does not extend or connect, the Reviewing Official shall find that such exception shall*  
25 *meet the requirements of subsection E3 of this Section. The roadway classifications shall be as*  
26 *defined and designated by the Department.*

11. Road A will connect to 116th Avenue SE and to SE 177th Place via Road B.

**RMC 4-7-150(B):** *All proposed street names shall be approved by the City.*

12. As conditioned.

**RMC 4-7-150(C):** *Streets intersecting with existing or proposed public highways, major or*  
*secondary arterials shall be held to a minimum.*

13. 116<sup>th</sup> Avenue SE is a minor arterial. The proposed plat intersects the minor arterial at only one location and avoids intersecting with SE Petrovitsky Road, a principle arterial. The connections to arterials or highways are the minimum feasible to permit development. This criterion is satisfied.

**RMC 4-7-150(D):** *The alignment of all streets shall be reviewed and approved by the Public Works Department. The street standards set by RMC 4-6-060 shall apply unless otherwise approved. Street alignment offsets of less than one hundred twenty five feet (125') are not desirable, but may be approved by the Department upon a showing of need but only after provision of all necessary safety measures.*

14. As discussed in Finding of Fact 4, the Public Works Department has reviewed and approved the revised street alignment.

**RMC 4-7-150(E):**

*1. Grid: A grid street pattern shall be used to connect existing and new development and shall be the predominant street pattern in any subdivision permitted by this Section.*

*2. Linkages: Linkages, including streets, sidewalks, pedestrian or bike paths, shall be provided within and between neighborhoods when they can create a continuous and interconnected network of roads and pathways. Implementation of this requirement shall comply with Comprehensive Plan Transportation Element Objective T-A and Policies T-9 through T-16 and Community Design Element, Objective CD-M and Policies CD-50 and CD-60.*

*3. Exceptions:*

*a. The grid pattern may be adjusted to a "flexible grid" by reducing the number of linkages or the alignment between roads, where the following factors are present on site:*

*i. Infeasible due to topographical/environmental constraints; and/or*

*ii. Substantial improvements are existing.*

*4. Connections: Prior to adoption of a complete grid street plan, reasonable connections that link existing portions of the grid system shall be made. At a minimum, stub streets shall be required within subdivisions to allow future connectivity.*

*5. Alley Access: Alley access is the preferred street pattern except for properties in the Residential Low Density land use designation. The Residential Low Density land use designation includes the RC, R-1, and R-4 zones. Prior to approval of a plat without alley access, the Reviewing Official shall evaluate an alley layout and determine that the use of alley(s) is not feasible...*

*6. Alternative Configurations: Offset or loop roads are the preferred alternative configurations.*

1  
2 7. *Cul-de-Sac Streets: Cul-de-sac streets may only be permitted by the Reviewing Official where due*  
3 *to demonstrable physical constraints no future connection to a larger street pattern is physically*  
4 *possible.*

5 15. The project provides a grid connection by connecting the internal streets, Roads A and B, to  
6 116<sup>th</sup> Avenue SE and SE 177<sup>th</sup> Place. The Applicant will provide sidewalks along its frontage of  
7 116<sup>th</sup> Avenue SE as well as on both sides of internal Roads A and B.

8 **RMC 4-7-150(F):** *All adjacent rights-of-way and new rights-of-way dedicated as part of the plat,*  
9 *including streets, roads, and alleys, shall be graded to their full width and the pavement and*  
10 *sidewalks shall be constructed as specified in the street standards or deferred by the*  
11 *Planning/Building/Public Works Administrator or his/her designee.*

12 16. As conditioned.

13 **RMC 4-7-150(G):** *Streets that may be extended in the event of future adjacent platting shall be*  
14 *required to be dedicated to the plat boundary line. Extensions of greater depth than an average lot*  
15 *shall be improved with temporary turnarounds. Dedication of a full-width boundary street shall be*  
16 *required in certain instances to facilitate future development.*

17 17. A condition of approval will require extension of the alley east to the property line to allow  
18 access to the adjacent parcel. A further condition of approval will require the applicant to place the  
19 east 53 feet of Lot 5 within a separate tract. The tract will include ingress, egress, utility, common  
20 open space, and tree retention and will allow for future street extensions to the south at this location.  
21 No other future street extensions are possible at the subject location.

22 **RMC 4-7-170(A):** *Insofar as practical, side lot lines shall be at right angles to street lines or radial*  
23 *to curved street lines.*

24 18. As noted in Finding of Fact 3, Lots 1 and 2 as proposed to not meet this criterion. As  
25 conditioned, the side lines for all lots will be conformance with the requirement quoted above.

26 **RMC 4-7-170(B):** *Each lot must have access to a public street or road. Access may be by private*  
*access easement street per the requirements of the street standards.*

19. As previously determined, each lot has access to a public street or road.

**RMC 4-7-170(C):** *The size, shape, and orientation of lots shall meet the minimum area and width*  
*requirements of the applicable zoning classification and shall be appropriate for the type of*  
*development and use contemplated. Further subdivision of lots within a plat approved through the*

1 *provisions of this Chapter must be consistent with the then-current applicable maximum density*  
2 *requirement as measured within the plat as a whole.*

3 20. As conditioned, the proposed lots will comply with the zoning standards of the R-8 zone,  
4 which includes area, width and density.

5 **RMC 4-7-170(D):** *Width between side lot lines at their foremost points (i.e., the points where the*  
6 *side lot lines intersect with the street right-of-way line) shall not be less than eighty percent (80%) of*  
7 *the required lot width except in the cases of (1) pipestem lots, which shall have a minimum width of*  
8 *twenty feet (20') and (2) lots on a street curve or the turning circle of cul-de-sac (radial lots), which*  
9 *shall be a minimum of thirty five feet (35').*

10 21. As conditioned.

11 **RMC 4-7-170(E):** *All lot corners at intersections of dedicated public rights-of-way, except alleys,*  
12 *shall have minimum radius of fifteen feet (15').*

13 22. As conditioned.

14 **RMC 4-7-190(A):** *Due regard shall be shown to all natural features such as large trees,*  
15 *watercourses, and similar community assets. Such natural features should be preserved, thereby*  
16 *adding attractiveness and value to the property.*

17 23. As discussed in Finding of Fact No. 5, there are no critical areas on site. Significant trees are  
18 proposed for retention, where feasible on-site.

19 **RMC 4-7-200(A):** *Unless septic tanks are specifically approved by the Public Works Department*  
20 *and the King County Health Department, sanitary sewers shall be provided by the developer at no*  
21 *cost to the City and designed in accordance with City standards. Side sewer lines shall be installed*  
22 *eight feet (8') into each lot if sanitary sewer mains are available, or provided with the subdivision*  
23 *development.*

24 24. As conditioned.

25 **RMC 4-7-200(B):** *An adequate drainage system shall be provided for the proper drainage of all*  
26 *surface water. Cross drains shall be provided to accommodate all natural water flow and shall be of*  
sufficient length to permit full-width roadway and required slopes. The drainage system shall be  
designed per the requirements of RMC 4-6-030, Drainage (Surface Water) Standards. The drainage  
system shall include detention capacity for the new street areas. Residential plats shall also include  
detention capacity for future development of the lots. Water quality features shall also be designed to  
provide capacity for the new street paving for the plat.

1 25. The proposal, as conditioned, provides for adequate drainage that is in conformance with  
2 applicable City drainage standards as determined in Finding of Fact No. 4c. A condition of  
3 approval will require approval of final plans demonstrating compliance with the 2009 King  
County Surface Water design Manual (KCSWDM) at the time of the utility construction permit.

4 **RMC 4-7-200(C):** *The water distribution system including the locations of fire hydrants shall be*  
5 *designed and installed in accordance with City standards as defined by the Department and Fire*  
6 *Department requirements.*

7 26. As conditioned.

8 **RMC 4-7-200(D):** *All utilities designed to serve the subdivision shall be placed underground. Any*  
9 *utilities installed in the parking strip shall be placed in such a manner and depth to permit the*  
10 *planting of trees. Those utilities to be located beneath paved surfaces shall be installed, including all*  
11 *service connections, as approved by the Department. Such installation shall be completed and*  
12 *approved prior to the application of any surface material. Easements may be required for the*  
13 *maintenance and operation of utilities as specified by the Department.*

14 27. As conditioned.

15 **RMC 4-7-200(E):** *Any cable TV conduits shall be undergrounded at the same time as other basic*  
16 *utilities are installed to serve each lot. Conduit for service connections shall be laid to each lot line*  
17 *by subdivider as to obviate the necessity for disturbing the street area, including sidewalks, or alley*  
18 *improvements when such service connections are extended to serve any building. The cost of*  
19 *trenching, conduit, pedestals and/or vaults and laterals as well as easements therefore required to*  
20 *bring service to the development shall be borne by the developer and/or land owner. The subdivider*  
21 *shall be responsible only for conduit to serve his development. Conduit ends shall be elbowed to*  
22 *final ground elevation and capped. The cable TV company shall provide maps and specifications to*  
23 *the subdivider and shall inspect the conduit and certify to the City that it is properly installed.*

24 28. As conditioned.

25 **RMC 4-7-210:**

26 **A. MONUMENTS:**

*Concrete permanent control monuments shall be established at each and every controlling corner of  
the subdivision. Interior monuments shall be located as determined by the Department. All surveys  
shall be per the City of Renton surveying standards.*

**B. SURVEY:**

*All other lot corners shall be marked per the City surveying standards.*

1  
2 *C. STREET SIGNS:*

3 *The subdivider shall install all street name signs necessary in the subdivision.*

4 29. As conditioned.

5 **DECISION**

6 The proposed preliminary plat is approved, subject to the following conditions:

- 7
- 8 1. The applicant shall comply with the mitigation measures issued as part of the Determination  
9 of Non-Significance Mitigated, dated October 30, 2015.
  - 10 2. The applicant shall obtain a demolition permit and complete all required inspections for the  
11 removal of the existing single family residence and accessory structures prior to Final Plat  
12 recording.
  - 13 3. The applicant shall provide a minimum lot width variation of 10 feet (10') minimum of one  
14 per four (4) abutting street-fronting lots or provide a front yard setback variation of at least  
15 five feet (5') minimum for at least every four (4) abutting street fronting lots.
  - 16 4. The applicant shall provide a minimum of ten feet (10') of on-site landscaping along all  
17 public street frontages. A final detailed landscape plan shall be submitted to and approved by  
18 the City of Renton Project Manager prior to issuance of a construction permit.
  - 19 5. The applicant shall dedicate 14.5 feet (14'-6") of right-of-way on SE Petrovitsky Rd (subject  
20 to a final survey). A final detailed street cross-section must be submitted and approved by the  
21 Plan Review Project Manager prior to issuance a construction permit.
  - 22 6. A revised site plan shall be submitted to, and approved by, the Current Planning Project  
23 Manager and Plan Reviewer that identifies compliance with the development standards of the  
24 R-8 zone related to the lot orientation, width, depth, and size of Lots 1 and 2. A revised site  
25 plan shall be submitted and approved prior to construction permit issuance.
  - 26 7. The applicant shall submit a revised Tree Retention Plan to the City of Renton Current  
Planning Project Manager for review and approval prior to construction permit issuance.
  8. Lots 14-17 shall gain vehicular access to their respective lots off the alley. Lots 1 and 2 shall  
gain access from a shared driveway. Lot 13 may be accessed via either Road A or the alley.  
This shall be noted on the face of the plat. A final road plan shall be submitted to and

1 approved by the City of Renton Current Planning Project Manager prior to issuance a  
2 construction permit.

3 9. The applicant shall place the east 53 feet of Lot 5 within a separate tract. The tract shall  
4 include ingress, egress, utility, common open space, and tree retention. At the southernmost  
5 terminus of Road A, a future roadway sign shall be installed along the eastern most half the  
6 road improvements. A revised plat plan shall be submitted to, and approved by, the City of  
7 Renton Current Planning Project Manager and Plan Reviewer prior to construction permit  
8 issuance.

9 10. A street lighting plan shall be submitted at the time of construction permit review for review  
10 and approval by the City's Plan Reviewer.

11 11. The applicant shall create a Home Owners Association ("HOA") that maintains all  
12 improvements within the landscaping and stormwater tracts, as well as any and all other  
13 common improvements. A draft of the HOA documents shall be submitted to, and approved  
14 by, the City of Renton Current Planning Project Manager and the City Attorney prior to Final  
15 Plat recording. Such documents shall be recorded concurrently with the Final Plat.

16 12. The applicant shall record on the face of the plat that landscaping Tract "A" shall allow for  
17 future ingress, egress and utilities to Parcel Nos. 3223059291, 3223059211 and/or  
18 3223059112. Tract "A" shall be owned and maintained by Kinkade Crossing Home Owners  
19 Association ("HOA") until such time as the HOA allows the tract to be sold.

20 DATED this 5<sup>th</sup> day of January, 2016.

21 

22 Emily Terrell  
23 City of Renton Hearing Examiner, Pro Tem

24 **Appeal Right and Valuation Notices**

25 RMC 4-8-110(E)(9) provides that the final decision of the hearing examiner is subject to appeal to  
26 the Renton City Council. RMC 4-8-110(E)(9) requires appeals of the hearing examiner's decision  
to be filed within fourteen (14) calendar days from the date of the hearing examiner's decision. A



1 request for reconsideration to the hearing e examiner may also be filed within this 14 day appeal  
2 period as identified in RMC 4-8-110(E)(8) and RMC 4-8-100(G)(4). A new fourteen (14) day  
3 appeal period shall commence upon the issuance of the reconsideration. Additional information  
4 regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall – 7<sup>th</sup>  
5 floor, (425) 430-6510.

6 Affected property owners may request a change in valuation for property tax purposes  
7 notwithstanding any program of revaluation.  
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